

REMARKS

Claims 1-6 presently are pending in the application. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

The Examiner has acknowledged the claim for foreign priority under 35 U.S.C. § 119, as well as receipt of the certified copy of the priority document.

The Examiner has returned an initialed copy of the PTO/SB/08 thereby indicating that he has considered the references listed thereon.

Applicants have reviewed the specification and have made the editorial changes as shown above.

Happily, the Examiner indicates that dependent claims 4 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the recitations of the base claim and any intervening claims. Accordingly, the allowable claim combinations are as follows: claims 1 + 3 + 4; and claims 1 + 2 + 5 + 6. However, Applicants are holding in abeyance placing objected-to claims 4 and 6 in independent form.

Claims 1 - 3 and 5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,355,177 (Senner et al.). For the following reasons, this rejection is respectfully traversed.

An apparatus consistent with the present invention relates to a refrigerator comprising a main body having at least one refrigerating compartment 20; a door to open and close an opening

of the refrigerating compartment; a water dispenser 15 provided on the door to supply drinking water; a drawer 24 provided inside the refrigerating compartment; and a filter assembly 40 disposed behind the drawer 24 to filtrate water supplied to the water dispenser.

In the rejection of claims 1-3 and 5 under § 102(b), the Examiner maintains that Senner et al. (hereinafter “Senner”) allegedly teach all of the recitations of independent claim 1 including a filter assembly (referencing Fig. 1, item 55) allegedly disposed on the rear surface of the refrigerating compartment behind the drawer (referencing col. 2, lines 12-16; col. 4, lines 19-25), and a water tank 131 allegedly provided behind the drawer with the filter assembly (referencing col. 4, lines 61-63). The Examiner maintains that “[i]t should be noted that in the cited lines, Senner et al. explicitly teach the water filter or water tank to be located anywhere internal ‘at a central rear portion of fresh food compartment (8),’ which includes the refrigerator drawers.”

After reviewing Senner, Applicants vigorously disagree with the Examiner’s interpretation of the reference. More specifically, Senner discloses a water filter cartridge replacement system for a refrigerator wherein the filter cartridge is said to be mounted in a clearly visible and accessible location for easy replacement by the consumer (see col. 2, lines 14-16). As best shown in Fig. 1 and described in column 4, lines 19-25, Senner discloses a replaceable filter, generally indicated at 55 which forms part of the water filtering system of his invention. With reference to Fig. 1, Senner discloses

[a]s shown, filter cartridge 55 preferably projects downward from within the housing of temperature control unit 43 at a central rear portion of fresh food compartment 8. This location is utilized in accordance with a preferred

embodiment to provide a readily visible and easily accessible filter cartridge 55 that can be replaced by a consumer as needed.

Further, the water tank 131 is preferably mounted within fresh food compartment 8, such as at lower rear portion thereof.

Based on the foregoing description, Senner quite clearly utilizes a filter mounting location similar to the prior art disclosed in Fig. 5 of the subject application. More specifically, while the Examiner alleges that Senner discloses that the water filter and water tank may be located anywhere at a central rear portion of the fresh food compartment 8, the entire sentence in column 4, lines 19-22 indicates that “the filter cartridge 55 preferably *projects downward from within the housing of temperature control unit 43* at a central rear portion of fresh food compartment 8.” Thus, the filter cartridge 55 is centrally located between the front, rear, left and right vertical walls in the compartment 8, as it quite clearly projects downwardly from the temperature control unit 43 at the top of the food compartment 8.

Because the filter cartridge 55 extends downward from the upper portion of the food compartment, it would suffer from the same problems as the prior art disclosed in Fig. 5 of the present invention; namely, food items would need to be removed from the shelf 35 prior to removing the filter so that they are not in the user’s way when replacing the filter 55.

Further, because the filter is projected down from the temperature control unit 43 at an upper portion of the fresh food compartment 8, the outer appearance is degraded. Still further, a long hose is required between the filter cartridge 55 which is located near the top of the fresh

food compartment, and the water tank 131 which is mounted in the lower rear portion of the fresh food compartment 8, thereby increasing the cost of the hose.

In column 9, lines 48-53, Senner further discloses that the mounting head 105 for mounting the filter cartridge 55 could be positioned in a completely different portion of the refrigerator, such as a service compartment or even adjacent the refrigerator, without departing from the invention.

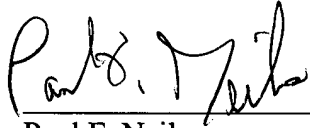
Thus, even though Senner discloses that the head 105 and the filter cartridge 55 could be positioned in a completely different portion of the refrigerator, the only other examples he uses are a service compartment or adjacent the refrigerator, in addition to the explicitly disclosed mounting of the filter cartridge at the top of the fresh food compartment projecting from the temperature control unit 43. Accordingly, there is clearly no teaching or suggestion of disposing a filter assembly *behind the drawer* to filtrate water supplied to the water dispenser. In this regard, the Examiner's statement that Senner explicitly teaches that the water filter or water tank can be located anywhere at a central rear portion of fresh food compartment 8 which would include the refrigerator drawers is simply incorrect.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/821,167

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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